

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

JAMES E. BAPTIST AND WIFE,
ROBBIE LEE BAPTIST, AND
HORACE D. ROANE AND WIFE,
HILDA JANE ROANE,

PLAINTIFFS

VS.

CIVIL ACTION, FILE NO. 92-12-1454

ALL PERSONS, KNOWN AND UNKNOWN,
CLAIMING ANY INTEREST IN THE
PROPERTY DESCRIBED HEREIN,

DEFENDANTS

JUDGMENT QUIETING AND CONFIRMING TITLE TO REAL PROPERTY, ETC.

This cause came on this day to be heard upon the Complaint To Quiet And Confirm Title To Real Property, Etc., filed by Plaintiffs, James E. Baptist and wife, Robbie Lee Baptist, and Horace D. Roane and wife, Hilda Jane Roane, against Defendants, being all persons, known and unknown, claiming any interest in the property described in the Complaint, upon publication of process, a copy of which is on file in this cause, and upon proof taken in open court, and the Court, after considering all of the above does hereby find and adjudicate as follows:

1. That Plaintiffs, James E. Baptist and wife, Robbie Lee Baptist, are adult resident citizens of DeSoto County, Mississippi, whose address is 2004 Baptist Road, Nesbit, Mississippi 38651. Plaintiffs, Horace D. Roane and wife, Hilda J. Roane, are adult resident citizens of DeSoto County, Mississippi, whose address is 681 Bankston Road, Nesbit, Mississippi 38651.

2. That Defendants are all persons, known or unknown, claiming any interest in the real property hereinafter described, whose street and post office addresses are unknown to Plaintiff's after diligent inquiry.

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3. That the Court has jurisdiction of the parties and of the subject matter to this action.

4. That on or about December 7th, 1955, Joe Williams, Sr. and wife, Ophelia Williams, executed a general Warranty Deed conveying to Plaintiffs, James E. Baptist and wife, Robbie Lee Baptist, the following described real property located in DeSoto County, Mississippi, more particularly described as follows:

20 acres, the South part of the Southeast fourth of the Southeast Quarter of Section 19, Township 2, Range 7 West, and being the same land conveyed by Eliza Reese and Prestley Broadie to George Homer Robertson, of date December 10, 1941, and recorded in Book 28, Page 529, in the Chancery Clerk's Office of DeSoto County, Mississippi, and which land I, Joe Williams, Sr. purchased from James P. Tipton, Clerk Commissioner, by deed of date the 12th day of November, 1955, recorded in Book 42, Page 467, in the Chancery Clerk's Office of DeSoto County, Mississippi, and reference is here made to said deed for a more perfect description of said land. Said Warranty Deed is recorded in Deed Book 42, Page 481, in the office of the Chancery Clerk of DeSoto County, Mississippi.

5. That James E. Baptist and wife, Robbie Lee Baptist, executed a Warranty Deed in favor of Willie James Baptist on October 24th, 1979, conveying the following described real property:

3.0 acres located in the Southwest Quarter of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi, more particularly described as follows, to-wit:

Beginning at a point located at Southwest Corner of the Southeast Quarter of the Southeast Quarter of Section 19, Township 2 South, Range 7 West, said point being the Point of Beginning; thence North 489.59 feet to a point; thence East 283.22 feet to a point; thence South 490.99 feet to a point; thence West 283.22 feet to the Point of Beginning; said parcel contains 3.0 acres. Said Warranty Deed is recorded in Deed Book 144, Page 317, in the office of the Chancery Clerk of DeSoto County, Mississippi.

On October 24th, 1979, Willie James Baptist conveyed the same real property described in Paragraph 5 above to Plaintiffs, Horace D. Roane and wife, Hilda Jane Roane. Said Warranty Deed is

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recorded in Deed Book 144, Page 320, in the office of the Chancery Clerk of DeSoto County, Mississippi.

6. That, except for the land claimed by Horace D. Roane and wife, Hilda Jane Roane, referred to in Paragraph 6 above, and with the exception of one (1) acre conveyed to Eugene Hardrick and wife, Bobbie J. Hardrick, by deed recorded in Deed Book 154, Page 607, in the office of the Chancery Clerk of DeSoto County, Mississippi, Plaintiffs, James E. Baptist and wife, Robbie Lee Baptist, have occupied the following described real property uninterruptedly, continued for ten years or more from December 7th, 1955 until the present time. Such continued occupancy has been a hostile, actual, open and notorious, exclusive and continuous occupancy in excess of the statutory period. The property actually claimed and occupied by Plaintiffs, James E. Baptist and wife, Robbie Lee Baptist, except as noted above, is described as follows:

Being part of the Southeast Quarter of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi.

Beginning at the Southeast Corner of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi. Said point being the Point of Beginning and at the intersection of Swinnea and Bankston Roads.

Thence South 89 degrees 41 minutes 25 seconds West 1888.7 feet along Bankston Road to a point. Thence North 00 degrees 01 minutes 02 seconds East 489.59 feet to a point on an old fence line. Thence North 89 degrees 41 minutes 25 seconds East 283.22 feet along old fence line to a point. Thence North 89 degrees 26 minutes 39 seconds East 1395.48 feet along old fence line to a point. Thence South 00 degrees 01 minutes West 210 feet to a point. Thence North 89 degrees 26 minutes 39 seconds East 210 feet to a point in Swinnea Road. Thence South 00 degrees 01 minutes West 289.5 feet to the Point of Beginning. Parcel containing 20.3 acres.

7. That Plaintiffs, Horace D. Roane and wife, Hilda J. Roane, have uninterruptedly and continuously occupied by hostile, actual, open, and notorious, exclusive and continuous occupancy, the following described real property since October 24th, 1979 until

the present time. Said real property is described as follows:

3.0 acres located in the Southeast Quarter of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi, more particularly described as follows, to-wit:

Beginning at a point located 745.61 feet East and 30 feet North of the Southwest Corner of the Southeast Quarter of Section 19, Township 2 South, Range 7 West, said point being the Point of Beginning and being on the North right-of-way of

Bankston Road. Thence North 00 degrees 01 minutes 02 seconds East 459.59 feet to a point on an old fence line. Thence North 89 degrees 41 minutes 25 seconds East 283.22 feet along said fence line to a point. Thence South 00 degrees 01 minutes West 461.08 feet to a point on the North right-of-way of Bankston Road, thence South 89 degrees 59 minutes 30 seconds West 283.22 feet along the right-of-way of Bankston Road to the Point of Beginning. Said parcel containing 3.0 acres.

8. That Plaintiffs, James E. Baptist and wife, Robbie Lee Baptist, deraign their title to the real property described herein out of the sovereign for a period of more than sixty (60) years as follows:

- (a) Deed from Joe Williams, Sr. and wife, Ophelia Williams, dated December 7, 1955 and recorded in Deed Book 42, Page 481;
- (b) Deed from James P. Tipton, Clerk, Commissioner, to Joe Williams, Sr., dated November 12, 1955, and recorded in Deed Book 42, Page 467;
- (c) Deed from Eliza Reese and Preastly Broadie to Homer Robertson, dated December 10th, 1941, and recorded in Deed Book 28, Page 529; and
- (d) Deed from M. J. Whitley to James Broady dated December 18, 1893, and recorded in Deed Book 8, Page 209.

All of the aforementioned deeds are recorded in the office of the Chancery Clerk of DeSoto County, Mississippi.

9. That the Court should quiet and confirm the title to the real property described in Paragraph 6 above in Plaintiffs, James E. Baptist and wife, Robbie Lee Baptist's name, with the provision that the said Plaintiffs, James E. Baptist and wife, Robbie Lee Baptist, shall execute a Warranty Deed to Plaintiffs, Horace D. Roane and wife, Hilda J. Roane, conveying the real property described in Paragraph 8 above to them. Further, that Plaintiffs, Horace D. Roane and wife, Hilda J. Roane, shall execute a Quitclaim

Deed to Plaintiffs, James E. Baptist and wife, Robbie Lee Baptist, conveying to them the real property described in Paragraph 5 above.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED:

(A) That title is hereby quieted and confirmed to the real property described hereinafter in James E. Baptist and wife, Robbie Lee Baptist, said real property being more particularly described as follows:

Being part of the Southeast Quarter of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi.

BEGINNING at the Southeast Corner of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi. Said point being the Point of Beginning and at the intersection of Swinnea and Bankston Roads. Thence South 89 degrees 41 minutes 25 seconds West 1888.7 feet along Bankston Road to a point. Thence North 00 degrees 01 minutes 02 seconds East 489.59 feet to a point on a old fence line. Thence North 89 degrees 41 minutes 25 seconds East 283.22 feet along old fence line to a point. Thence North 89 degrees 26 minutes 39 seconds East 1395.48 feet along old fence line to a point. Thence South 00 degrees 01 minutes West 210 feet to a point. Thence North 89 degrees 26 minutes 39 seconds East 210 feet to a point in Swinnea Road. Thence South 00 degrees 01 minutes West 289.5 feet to the Point of Beginning. Parcel containing 20.3 acres.

(B) That James E. Baptist and wife, Robbie Lee Baptist, shall execute a Warranty Deed in favor of Plaintiffs, Horace D. Roane and wife, Hilda J. Roane, conveying to them the real property located in DeSoto County, Mississippi, more particularly described as follows:

3.0 acres located in the Southeast Quarter of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi, more particularly described as follows, to-wit:

BEGINNING at a point located 745.61 feet East and 30 feet North of the Southwest corner of the Southeast Quarter of Section 19, Township 2 South, Range 7 West, said point being the Point of Beginning and being on the North right-of-way of Bankston Road. Thence North 00 degrees 01 minutes 02 seconds East 459.59 feet to a point on an old fence line. Thence North 89 degrees 41 minutes 25 seconds East 283.22 feet along said fence line to a point. Thence South 00 degrees 01 minutes West 461.08 feet to a point on the North right-of-way of Bankston Road, thence South 89 degrees 59 minutes 30 seconds West 283.22 feet along the right-

of-way of Bankston Road to the Point of Beginning.
Said parcel containing 3.0 acres.

(C) That Plaintiffs, Horace D. Roane and wife, Hilda J. Roane, execute a Quitclaim Deed in favor of James E. Baptist and wife, Robbie Lee Baptist, conveying to them the following described real property located in DeSoto County, Mississippi, described as follows:

3.0 acres located in the Southeast Quarter of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi, more particularly described as follows, to-wit:

BEGINNING at a point located at Southwest Corner of the Southeast Quarter of the Southeast Quarter of Section 19, Township 2 South, Range 7 West, said point being the Point of Beginning; thence North 489.59 feet to a point; thence East 283.22 feet to a point; thence South 490.99 feet to a point; thence West 283.22 feet to the Point of Beginning; said parcel containing 3.0 acres.

ORDERED, ADJUDGED AND DECREED this the 1st day of March, 1993.


CHANCELLOR

STATE MS.-DE SOTO CO.
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RECORDED 3-5-93
DEED BOOK 254
PAGE 182
W.E. DAVIS CH. CLK.